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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,294	02/19/2004	Neal F. Gunderson	STL11283	4291

7590 09/29/2004
Seagate Technology LLC
1280 Disc Drive
Shakopee, MN 55379

EXAMINER

LETSCHER, GEORGE J

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/782,294

Applicant(s)

GUNDERSON ET AL.

Examiner

George J. Letscher

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9, 10 and 13-19 is/are rejected.
- 7) ☒ Claim(s) 8, 11, 12 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/19/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 20 is objected to because of the following informalities: In claim 20, the phrase "the first seal retention ring" should be --the first compression limit spacer-- as in claim 14. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-2, 4-5, 9-10, 13-15, 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Bernett et al (US 2003/0179489).

The aforementioned claims recite the following features, inter alia, disclosed in Bernett et al: a hermetically sealed disk drive housing (100) comprising opposing housing members (150 & 102); a compressive gasket seal (170) compressed between the two housing members; a removable, i.e., capable

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of being removed, compression limit spacer (104) adjacent the gasket seal between the housing members, the spacer limiting compression of the gasket seal to a predetermined compression level. The seal is within the peripheral extent of the spacer; see Figure 5. Fasteners (166) apply a compressive force to the seal. The spacer has a plurality of discrete spaced apart bosses (162) through which fasteners extend. The housing members and seal form an interior environment wherein a fluidic atmosphere is placed in the environment. The housing supports a data storage medium (108) within the interior environment. See Figures 2-5 of Bennett et al.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett et al in view of Scura et al (US 5,793,566).

The description of Bennett et al is in paragraph 3, supra.

Regarding claim 3, do not show the seal contactingly supported by the spacer.

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Scura et al disclose a disk drive housing gasket seal (64) contactingly supported by a spacer (62); see Figure 7 of Scura et al.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have furnished the disk drive gasket and spacer assembly of Bennett et al with the seal being contactingly supported by the spacer as taught by Scura et al. The rationale is as follows: one of ordinary skill in the art would have been motivated to have furnished the disk drive gasket and spacer assembly of Bennett et al with the seal being contactingly supported by the spacer as taught by Scura et al since one of ordinary skill in the art would have been able to impart various compressive forces on the sealing member; see column 7, lines 57-64 of Scura et al.

6. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett et al in view of Hearn et al (US 6,392,838).

The description of Bennett et al is in paragraph 3, *supra*.

Regarding claims 6-7, do not show the seal having a hexagonal shape or a c-shaped cross section shape.

Hearn et al disclose a disk drive having a c-shaped cross section shape hermetic seal (70); see Figure 8 of Hearn et al.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the disk drive having a seal as shown in Bennett et al with the seal being a c-shaped cross section as taught in Hearn

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et al. The rationale is as follows: one of ordinary skill in the art would have been motivated to have provided the disk drive having a seal as shown in Bernett et al with the seal being a c-shaped cross section as taught in Hearn et al so that it followed the periphery of the drive housing; see column 4, lines 34-39 of Hearn et al.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have furnished the disk drive having a seal as shown in Bernett et al modified to a c-shaped cross section as taught in Hearn et al with the c-shaped cross section modified to a hexagonal shape. The rationale is as follows: one of ordinary skill in the art would have been motivated to have furnished the disk drive having a seal as shown in Bernett et al modified to a c-shaped cross section as taught in Hearn et al with the c-shaped cross section modified to a hexagonal shape since one of ordinary skill in the art would have readily known that the change in shape of the seal represented an obvious modification that was well within the purview of one of ordinary skill.

Allowable Subject Matter

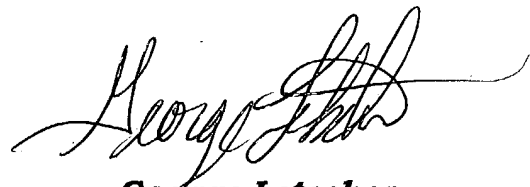
7. Claims 8, 11-12 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Letscher whose telephone number is (703) 305-7912.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4750.

George Letscher
September 25, 2004



George Letscher
Primary Examiner
AU 2653